

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

Boundary Commission
Docket #96-AR-14

The proposed annexation of
territory in **Vernon Township**
to the **City of Durand**

SUMMARY OF PROCEEDINGS, FINDINGS OF FACT AND ORDER

This matter of the proposed annexation of the following territory in Vernon Township to the City of Durand and described as follows:

Part of the North 1/2 of Section 15, T6N-R4E, Vernon Township, Shiawassee County, Michigan, described as: Commencing at the West 1/4 corner of said Section 15; thence S89°56'11"E along the East-West 1/4 line of said Section 15 a distance of 2646.98 feet to the center of said Section 15 and the point of beginning; thence West along the East-West 1/4 line of said Section 15 a distance of 150 feet; thence North 233 feet; thence East 150 feet to the North-South 1/4 line of said Section 15; thence N00°01'02"E along the North-South 1/4 line of said Section 15 a distance of 1088.24 feet to the North 1/8 line of said Section 15; thence N00°01'02"E along the North-South 1/4 line of said Section 15 a distance of 16.5 feet; thence Easterly parallel with the North 1/8 line of said Section 15 a distance of 16.5 feet; thence S00°01'02"W parallel with the North-South 1/4 line of said Section 15 a distance of 16.5 feet to the North 1/8 line of said Section 15; thence S00°01'02"W parallel with the North-South 1/4 line of said Section 15 a distance of 1321.24 feet to the East-West 1/4 line of said Section 15; thence N89°56'11"W along the East-West 1/4 line of said Section 15 a distance of 16.5 feet to the center of said Section 15 and the point of beginning.

Plus two parcels describe as follows:

Parcel A

Part of the Southeast 1/4 of Section 15, T6N-R4E, Vernon Township, Shiawassee County, Michigan, described as beginning at the East 1/4 corner of said Section 15; thence Westerly along the East-West 1/4 line of said Section 15 to the Easterly line of the Dover Estates Subdivision (Liber 14 of Plats, Page 254); thence Southerly along the Easterly line of the Dover Estates Subdivision to the Southerly line of said Dover Estates Subdivision; thence Westerly along the Southerly line of the Dover Estates Subdivision extended to the Easterly line of the O.H. Obert's Addition Subdivision (Liber 1 of Plats, Page 20); thence Northerly along the Easterly line of the O.H. Obert's Addition Subdivision to the Southeast corner of Lot 34 of said O.H. Obert's Addition Subdivision; thence Westerly along the Southerly line of Lot 34 of the O.H. Obert's Addition Subdivision to the Southwest corner of Lot 34 of said O.H. Obert's Addition Subdivision; thence Northerly along the Westerly line of Lots 34 and

33 of the O.H. Obert's Addition Subdivision to the Northwest corner of Lot 33 of said O.H. Obert's Addition Subdivision; thence Westerly to the Northeast corner of Lot 3 of the O.H. Obert's Addition Subdivision; thence Southerly along the Easterly line of Lots 3, 4, 5, 6, and 7 of the O.H. Obert's Addition Subdivision to the Southeast corner of Lot 7 of said O.H. Obert's Addition Subdivision; thence Westerly, 66 feet along the Southerly line of Lot 7 of the O.H. Obert's Addition Subdivision; thence Northerly along a line parallel to the Easterly line of Lots 7, 6, and 5 of the O.H. Obert's Addition Subdivision to the Southerly line of Lot 4 of said O.H. Obert's Addition Subdivision; thence Westerly 66 feet along the Southerly line of Lot 4 of the O.H. Obert's Addition Subdivision to the Southwest corner of Lot 4 of said O.H. Obert's Addition Subdivision; thence Northerly along the Westerly line of Lots 4, 3, and 1 of the O.H. Obert's Addition Subdivision to the Northwest corner of Lot 1 of said O.H. Obert's Addition Subdivision; thence Westerly 8 feet to the Northwest corner of the O.H. Obert's Addition Subdivision and the Easterly line of the Durand Land Development Corporation's First Subdivision (Liber 1 of Plats, Page 130); thence Southerly along the Easterly line of the Durand Land Development Corporation's First Subdivision and the Easterly line of the Subdivision of Outlet A of Durand Land Company's Second Addition (Liber 1 of Plats, Page 7), which is also the North-South 1/4 line of Section 15, to the Northerly line of Lot 8 extended of said O.H. Obert's Addition Subdivision; thence Easterly along the Northerly line of Lot 8 of the O.H. Obert's Addition Subdivision to the Northeast corner of Lot 8 of said O.H. Obert's Addition Subdivision; thence Southerly along the Easterly line of Lots 8 and 9 of the O.H. Obert's Addition Subdivision to the Southeast corner of Lot 9 of said O.H. Obert's Addition Subdivision; thence Westerly along the Southerly line of Lot 9 of the O.H. Obert's Addition Subdivision to the Easterly line of the A.W. Denison's Addition (Liber 1 of Plats, Page 56), which is also the North-South 1/4 line of Section 15; thence Southerly along the Easterly line of the A.W. Denison's Addition, which is also the North-South 1/4 line of Section 15, to the Northerly right-of-way of the Grand Trunk Western Railroad; thence Northeasterly along the northerly right-of-way line of the Grand Trunk Western Railroad to the East line of Section 15; thence Northerly along the East Line of Section 15 to the East 1/4 corner of said Section 15, being the Point of Beginning. Description includes the West 1/2 of Lots 5, 6, 7, Lots 10 through 16, and Lots 35 through 45 of the O.H. Obert's Addition Subdivision. Also, Lot 33 of said O.H. Obert's Addition Subdivision.

Parcel B

Part of the North 1/2 of the Northwest 1/4 of the Southeast 1/4 of said Section 15; described as beginning at a point N89°37'32"W on the East-West 1/4 line of said Section 15 a distance of 1360.05 feet from the East 1/4 corner of said Section 15; thence S00°04'W 259.0 feet; thence N89°37'32"W 610.5 feet; thence S00°04'W 50.0 feet; thence N89°37'32"W 132.0 feet; thence N00°04'E 309.0 feet; thence S89°37'32"E on the East-West 1/4 line of said Section 15 a distance 742.5 feet to the Point of Beginning.

Plus two parcels described as follows:

Island Parcel A

Part of the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 15, T6N-R4E, Vernon Township, Shiawassee County, Michigan, described as: commencing at the West 1/4 of said Section 15; thence S89°56'11"E along the East-West 1/4 line of said Section 15 a distance of 910.07 feet to the Southwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 15; thence Easterly along the East-West 1/4 line of said Section 15 a distance of 146 feet to the point of beginning; thence North 165 feet; thence East parallel with the East-West 1/4 line of said Section 15 a distance of 246 feet; thence South 165 feet to the East-West 1/4 line of said Section 15; thence West along the East-West 1/4 line of said Section 15 a distance of 246 feet to the point of beginning.

Island Parcel B

Part of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 15, T6N-R4E, Vernon Township, Shiawassee County, Michigan, described as: commencing at the West 1/4 corner of Section 15; thence S89°56'11"E along the East-West 1/4 line of said Section 15 a distance of 910.07 feet to the Southwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 15; thence Easterly along the East-West 1/4 line of said Section 15 a distance of 760 feet to the point of beginning; thence North 337 feet; thence East parallel with the East-West 1/4 line of said Section 15 a distance of 100 feet; thence South 337 feet to the East-West 1/4 line of said Section 15; thence West along the East-West 1/4 line of said Section 15 a distance of 100 feet to the point of beginning.

This matter came before State Boundary Commissioners VerBurg, Walker and Rutledge, and Shiawassee County Commissioner Harris for final adjudication in Lansing, on Thursday, **August 21, 1997**. The Commission, being fully advised as to the positions of the respective parties, made its findings on said date.

SUMMARY OF PROCEEDINGS

- A. On **July 18, 1996**, a petition was filed by the City of Durand for the annexation of a portion of Vernon Township into the Home Rule City of Durand.
- B. On **November 6, 1996**, an adjudicative meeting of the State Boundary Commission was held in Lansing to determine the legal sufficiency of the petition. The petition was declared to be legally sufficient, pursuant to Public Act 191 of 1968, as amended, and Public Act 279 of 1909, as amended.
- C. On **February 13, 1997** a public hearing was held in Vernon Township to receive testimony given pursuant to Public Act 191 of 1968, as amended.
- D. On **August 21, 1997** an adjudicative meeting of the State Boundary Commission was held in Lansing to make a decision based on the information received.

INFORMATION TO BE NOTICED

1. The **City** requested annexation because the territory proposed for annexation constituted a logical extension of the City of Durand boundaries.
2. The **City** and the **Township** reported that they are negotiating an agreement concerning the territory proposed for annexation.
3. The **City**, through its designated attorney, requested the State Boundary Commission to deny this annexation petition.

THE COMMISSION FINDS THAT

1. **Vernon Township** and the **City of Durand** are negotiating an agreement concerning the property proposed for annexation and the **City of Durand**, through its designated attorney, has requested that the petition be denied.

IN CONCLUSION, THE COMMISSION FINDS THAT


1. The Commission has considered the information contained in the record of this docket in terms of the criteria stipulated under Section 9 of Public Act 191 of 1968, as amended.
2. On August 21, 1997, at an adjudicative meeting held in Lansing, State Boundary Commissioners VerBurg, Walker and Rutledge and Shiawassee County Commissioner Harris voted unanimously to recommend to the Director of the Department of Consumer and Industry Services that the proposed annexation be denied.
3. On **August 21, 1997**, at an adjudicative meeting held in Lansing, State Boundary Commissioners VerBurg, Walker and Rutledge and Shiawassee County Commissioner Harris voted to approve the Findings of Fact and Order and to recommend that the Director of the Department of Consumer and Industry Services sign the order.

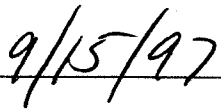
ORDER

DOCKET #96-AR-14

IT IS ORDERED THAT this order **denying** the annexation of certain territory in **Vernon Township** into the **Home Rule City of Durand** shall be final and effective on the date signed by the Director of the Department of Consumer & Industry Services.

IT IS FURTHER ORDERED THAT the Executive Director shall forthwith transmit a certified copy of these Findings of Fact and Order to the Petitioner and to the clerks of the City of Durand, Vernon Township, and Shiawassee County.


Kathleen M. Wilbur, Director
Department of Consumer & Industry Services


Date